

RAVEN & KOLBE, LLP  
Keith A. Raven, Esq. (KR-8086)  
Attorneys for Defendants  
CHARLTON KRAUSE and  
IRONCLAD LOGISTICS LLC  
126 East 56<sup>th</sup> Street, Suite 202  
New York, New York 10022  
(212) 759-7466

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
MICHAEL REED, : Civil No.: -cv-  
: Plaintiff(s), : **NOTICE OF REMOVAL**  
: :  
: -against- :  
: :  
CHARLTON KRAUSE and IRONCLAD :  
LOGISTICS LLC, :  
: :  
: Defendant(s). :  
----- X

**TO: THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PLEASE TAKE NOTICE that defendants, CHARLTON KRAUSE and IRONCLAD LOGISTICS LLC, by and through their undersigned counsel, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, respectfully submit their Notice of Removal of this action from the Supreme Court of New York, County of Bronx, in which this action is pending, to the United States District Court for the Southern District of New York, being the district embracing the place where the action is pending. In support of their Notice of Removal, defendants state as follows:

1. On May 25, 2021, plaintiff filed a lawsuit in the Supreme Court of New York, County of Bronx, under Index No. 807231/2021E. Thereafter, on August 11, 2021, plaintiff

supplemented his Summons and amended his Complaint to implead defendant IRONCLAD LOGISTICS, LLC. A true and complete copy of plaintiff's Summons and Verified Complaint and Supplemental Summons and Amended Verified Complaint is annexed hereto collectively as **Exhibit "A"**.

2. Plaintiff's Summons and Verified Complaint was served on defendant, CHARLTON KRAUSE, on June 11, 2021.

3. Thereafter, on August 31, 2021, defendants, CHARLTON KRAUSE and IRONCLAD LOGISTICS LLC, interposed their Verified Answer to plaintiff's Amended Verified Complaint, a copy of which is annexed hereto and made a part hereof as **Exhibit "B"**.

4. On July 1, 2021, plaintiff's counsel was served with defendants' Demand for Damages; and on August 31, 2021, plaintiff's counsel was also served with defendants' Demand for a Verified Bill of Particulars along with defendants' Combined Discovery Demands. A copy of the aforesaid discovery is annexed hereto and made a part hereof as **Exhibit "C"**.

5. Thereafter, on or about February 28, 2022, plaintiff provided responses to defendants' long outstanding Discovery Demands. And, more specifically, defendants are in receipt of plaintiffs' counsel's letter dated February 28, 2022, in response to defendants' Demands for Damages, wherein it is alleged that plaintiff will claim damages in the amount of \$1 million. A copy of plaintiff's counsel's February 28, 2022 letter is annexed hereto and made a part hereof as **Exhibit "D"**.

6. Plaintiff, MICHAEL REED, is a resident and domiciliary of the County of Bronx, State of New York.

7. Defendant, CHARLTON KRAUSE, is a resident of the State of Pennsylvania.

8. Defendant, IRONCLAD LOGISTICS LLC, is a Pennsylvania company, which is

a subsidiary of Lily Transportation Corp., a privately held Corporation; with no parent corporation or any publicly held corporation that owns ten (10) percent or more of its stock; with its principal place of business in Needham, Massachusetts.

9. This Notice of Removal is timely filed in that the Notice of Removal was filed within thirty (30) days of defendants first receiving a copy of plaintiffs' discovery responses and, more specifically, response to Demand for Damages. 28 U.S.C. §1446(b).

10. A copy of this Notice of Removal will be filed with the Clerk of the Supreme Court of New York, County of Bronx, and served on all parties as required by 28 U.S.C. §1446(d).

11. This Court has original jurisdiction over this action because there is complete diversity between the parties under 28 U.S.C. §1332(a), and this action is removable to this Court pursuant to 28 U.S.C. §1441(a)-(b).

12. There is complete diversity of citizenship between the plaintiff and the defendants in this action because the plaintiff is a resident of the County of Bronx, State of New York. See Exhibit A at Summons and ¶4 of Complaint; and defendants are citizens of the State of Pennsylvania.

13. Furthermore, the amount in controversy exceeds \$75,000, exclusive of interests, costs and attorneys fee, which is based upon plaintiff's counsel's letter of February 28, 2022.

**WHEREFORE**, defendants, CHARLTON KRAUSE and IRONCLAD LOGISTICS LLC, respectfully request that this action be removed from the Supreme Court of New York, Bronx County, and that this Court assume jurisdiction of this action and issue such further orders

and processes as may be necessary to bring before it all parties necessary for the trial.

Dated: March 8, 2022  
New York, New York

RAVEN & KOLBE, LLP  
Attorneys for Defendants  
CHARLTON KRAUSE and IRONCLAD  
LOGISTICS LLC

By:   
KEITH A. RAVEN (KR-8086)

TO:

ZWIRN & SAULINO P.C.  
Attorneys for Plaintiff  
MICHAEL REED  
2606 East 15th Street, Suite 205  
Brooklyn, New York 11235  
Tel.: (718) 615-7400  
Warren A. Zwirn, Esq.  
[wzwirn@zwirnandsaulino.com](mailto:wzwirn@zwirnandsaulino.com)  
Jill A. Daniel, Esq.  
[Jdaniel@zwirnandsaulino.com](mailto:Jdaniel@zwirnandsaulino.com)

**AFFIDAVIT OF SERVICE BY ECF AND MAIL**

STATE OF NEW YORK )  
                        )  
                        ) ss.:  
COUNTY OF NEW YORK )

Nelida M. Lamboy-Perez, being duly sworn, deposes and says:

That she is an employee in the office of RAVEN & KOLBE, LLP, attorneys herein; that deponent is not a party to the action or proceeding, is over eighteen (18) years of age, and resides in New York; and, that on March 10, 2022, she filed via ECF and served the within copy of the **NOTICE OF REMOVAL AND EXHIBITS** upon:

ZWIRN & SAULINO P.C.  
2606 East 15th Street, Suite 205  
Brooklyn, New York 11235  
Warren A. Zwirn, Esq.  
[wzwirn@zwirnandsaulino.com](mailto:wzwirn@zwirnandsaulino.com)  
Jill A. Daniel, Esq.  
[Jdaniel@zwirnandsaulino.com](mailto:Jdaniel@zwirnandsaulino.com)

by depositing a true copy of the same securely in a postpaid wrapper, in a Post Office Box regularly maintained by the United States Government directed to the above-mentioned parties at their respective address above, that this being the address within the State designated by them for the purpose upon the preceding papers in this action or the place where they then kept an office, between which place, there then was and now is a regular communication by mail.

  
NELIDA M. LAMBOY-PEREZ

Sworn to before me this  
10th day of March, 2022

  
Keith A. Raven  
Notary Public, State of New York  
Reg. No. 02RA6011105  
Commission Expires 08-03-23